

planning, but it also included a version of the Mexico City policy by imposing restrictions on what private organizations can do with their own money in order to receive U.S. Government funds.

Why we would want to do that when there are hundreds of millions of people who want family planning services but cannot get it, and the world is struggling with the enormous pressures of over a billion people living in poverty already, is beyond me.

I understand the herculean efforts that Congressman CALLAHAN and others on the House side have made to try to resolve this matter in a way that does not damage the Agency for International Development's family planning program. I also greatly appreciate the tireless efforts of Senator HATFIELD, who has tried every conceivable approach to reconcile the House and Senate provisions.

However, I urge the administration to stand firmly on the side of women, on unrestricted access to family planning, and on the right of private organizations to use their funds as they see fit—including for abortions, consistent with the laws of the countries where they operate. At a time when the world's population will double in the next 50 years and 90 percent of the new births will occur in countries that cannot even feed and care for their own people today, there is no more pressing issue for American leadership.●

#### GLENORA G. ROLAND

● Mr. LEVIN. Mr. President, I rise today to honor Glenora G. Roland of Flint, MI, who is celebrating 50 years of community service. Ms. Roland moved to Flint with her family in 1936.

Ms. Roland has always been a leader in the revitalization of the Flint community. In 1977, Glenora joined several other committed members of the community to found the Flint neighborhood improvement and preservation project, and the Flint neighborhood coalition. These two organizations have contributed greatly to the rebuilding and strengthening of the community. Ms. Roland served as the Flint NIPP's first secretary, as well as naming the organization. She has also served as the executive director of the Flint neighborhood coalition. The coalition's mission is "to reverse neighborhood decay by teaching residents to be self-sufficient."

I know my Senate colleagues join me in honoring Glenora G. Roland on her 50 years of service to the Flint community and Michigan.●

#### NOTE

Page S11571 of the RECORD of September 27, 1996, shows an incorrect headline and bill title for H.R. 1014, a bill to authorize extension of time limitation for a FERC-issued hydroelectric license. The permanent RECORD has been corrected accordingly.

#### ECONOMIC ESPIONAGE ACT OF 1996

Mr. NICKLES. Mr. President, I ask the Chair to lay before the Senate a message from the House of Representatives on (H.R. 3723) the bill to amend title 18, United States Code, to protect proprietary economic information, and for other purposes.

The PRESIDING OFFICER laid before the Senate the following message from the House of Representatives:

*Resolved*, That the House agree to the amendment of the Senate to the bill (H.R. 3723) entitled "An Act to amend title 18, United States Code, to protect proprietary economic information, and for other purposes", with the following House amendment to senate amendment:

In lieu of the matter proposed to be inserted by the Senate amendment to the text of the bill, insert:

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Economic Espionage Act of 1996".

#### TITLE I—PROTECTION OF TRADE SECRETS

##### SEC. 101. PROTECTION OF TRADE SECRETS.

(a) IN GENERAL.—Title 18, United States Code, is amended by inserting after chapter 89 the following:

#### "CHAPTER 90—PROTECTION OF TRADE SECRETS

"Sec.

"1831. Economic espionage.

"1832. Theft of trade secrets.

"1833. Exceptions to prohibitions.

"1834. Criminal forfeiture.

"1835. Orders to preserve confidentiality.

"1836. Civil proceedings to enjoin violations.

"1837. Conduct outside the United States.

"1838. Construction with other laws.

"1839. Definitions.

#### "§ 1831. Economic espionage

"(a) IN GENERAL.—Whoever, intending or knowing that the offense will benefit any foreign government, foreign instrumentality, or foreign agent, knowingly—

"(1) steals, or without authorization appropriates, takes, carries away, or conceals, or by fraud, artifice, or deception obtains a trade secret;

"(2) without authorization copies, duplicates, sketches, draws, photographs, downloads, uploads, alters, destroys, photocopies, replicates, transmits, delivers, sends, mails, communicates, or conveys a trade secret;

"(3) receives, buys, or possesses a trade secret, knowing the same to have been stolen or appropriated, obtained, or converted without authorization;

"(4) attempts to commit any offense described in any of paragraphs (1) through (3); or

"(5) conspires with one or more other persons to commit any offense described in any of paragraphs (1) through (4), and one or more of such persons do any act to effect the object of the conspiracy,

shall, except as provided in subsection (b), be fined not more than \$500,000 or imprisoned not more than 15 years, or both.

"(b) ORGANIZATIONS.—Any organization that commits any offense described in subsection (a) shall be fined not more than \$10,000,000.

#### "§ 1832. Theft of trade secrets

"(a) Whoever, with intent to convert a trade secret, that is related to or included in a product that is produced for or placed in interstate or foreign commerce, to the economic benefit of anyone other than the owner thereof, and intending or knowing that the offense will, injure any owner of that trade secret, knowingly—

"(1) steals, or without authorization appropriates, takes, carries away, or conceals, or by

fraud, artifice, or deception obtains such information;

"(2) without authorization copies, duplicates, sketches, draws, photographs, downloads, uploads, alters, destroys, photocopies, replicates, transmits, delivers, sends, mails, communicates, or conveys such information;

"(3) receives, buys, or possesses such information, knowing the same to have been stolen or appropriated, obtained, or converted without authorization;

"(4) attempts to commit any offense described in paragraphs (1) through (3); or

"(5) conspires with one or more other persons to commit any offense described in paragraphs (1) through (3), and one or more of such persons do any act to effect the object of the conspiracy, shall, except as provided in subsection (b), be fined under this title or imprisoned not more than 10 years, or both.

"(b) Any organization that commits any offense described in subsection (a) shall be fined not more than \$5,000,000.

#### "§ 1833. Exceptions to prohibitions

"This chapter does not prohibit—

"(1) any otherwise lawful activity conducted by a governmental entity of the United States, a State, or a political subdivision of a State; or

"(2) the reporting of a suspected violation of law to any governmental entity of the United States, a State, or a political subdivision of a State, if such entity has lawful authority with respect to that violation.

#### "§ 1834. Criminal forfeiture

"(a) The court, in imposing sentence on a person for a violation of this chapter, shall order, in addition to any other sentence imposed, that the person forfeit to the United States—

"(1) any property constituting, or derived from, any proceeds the person obtained, directly or indirectly, as the result of such violation; and

"(2) any of the person's property used, or intended to be used, in any manner or part, to commit or facilitate the commission of such violation, if the court in its discretion so determines, taking into consideration the nature, scope, and proportionality of the use of the property in the offense.

"(b) Property subject to forfeiture under this section, any seizure and disposition thereof, and any administrative or judicial proceeding in relation thereto, shall be governed by section 413 of the Comprehensive Drug Abuse Prevention and Control Act of 1970 (21 U.S.C. 853), except for subsections (d) and (j) of such section, which shall not apply to forfeitures under this section.

#### "§ 1835. Orders to preserve confidentiality

"In any prosecution or other proceeding under this chapter, the court shall enter such orders and take such other action as may be necessary and appropriate to preserve the confidentiality of trade secrets, consistent with the requirements of the Federal Rules of Criminal and Civil Procedure, the Federal Rules of Evidence, and all other applicable laws. An interlocutory appeal by the United States shall lie from a decision or order of a district court authorizing or directing the disclosure of any trade secret.

#### "§ 1836. Civil proceedings to enjoin violations

"(a) The Attorney General may, in a civil action, obtain appropriate injunctive relief against any violation of this section.

"(b) The district courts of the United States shall have exclusive original jurisdiction of civil actions under this subsection.

#### "§ 1837. Applicability to conduct outside the United States

"This chapter also applies to conduct occurring outside the United States if—

"(1) the offender is a natural person who is a citizen or permanent resident alien of the United States, or an organization organized under the laws of the United States or a State or political subdivision thereof; or